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New Jersey.

Report, recommendations and supplementary...

Trenton, N.J.

1909

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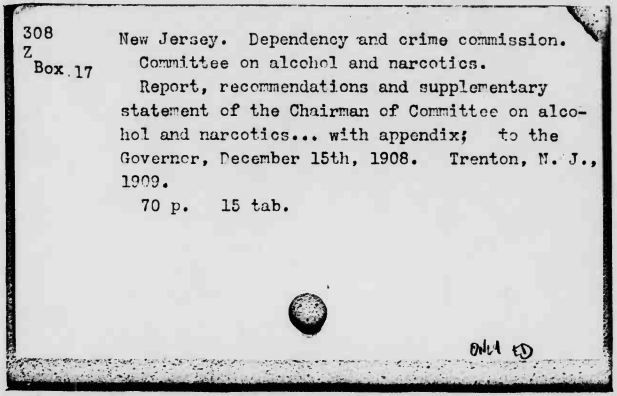
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Box 17
New Jersey. Dependency and crime commission.
Committee on alcohol and narcotics.
Report, recommendations and supplementary statement of the Chairman of Committee on alcohol and narcotics... with appendix; to the Governor, December 15th, 1908. Trenton, N. J., 1909.
70 p. 15 tab.

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REPORT, RECOMMENDATIONS AND SUPPLEMENTARY STATEMENT

OF

THE CHAIRMAN OF COMMITTEE ON ALCOHOL AND NARCOTICS

DEPENDENCY AND CRIME COMMISSION

OF THE

STATE OF NEW JERSEY

WITH APPENDIX

TO THE GOVERNOR—DECEMBER 15th 1908

TRENTON, N. J.
MacCrellish & Quigley, State Printers.
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EXTRACT FROM LAWS.

State of New Jersey, Session of 1908.

CHAPTER 140.

AN ACT creating a commission to investigate the causes of dependency and criminality.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Governor of this State be and he hereby is authorized to appoint a commission of residents of this State, not exceeding nine in number, some of whom may be women, to investigate into the causes of dependency in all forms, and the causes of criminality. The said commission shall report to the Governor on or before the convening of the next Legislature, which report shall be transmitted by the Governor to the Legislature.

2. The said commission shall investigate the causes of dependency and criminality, and make inquiry for the purpose of ascertaining to what extent excessive use of alcoholic drinks or narcotics, diet, lack of home training, immigration, the present penal system, conditions of population, and unhealthful tenement-house conditions, are contributory causes. The commission shall also consider such other factors as, in its judgment, contribute to the increase of the defective and criminal classes, and shall recommend to the Governor the best methods, in its opinion, of alleviating these conditions and eliminating the causes thereof.

3. The said commission shall select from its members a president and secretary, and shall meet at such places in this State as it may deem advisable, and shall have the power to subpœna witnesses, employ necessary experts, stenographers, clerks

and assistants; *provided,* the total expenditures, under this act, shall not exceed five thousand dollars, and that all actual expenses incidental to the work shall be approved by the Governor. The commission shall serve without compensation. All subpœnas shall be signed by the president and secretary of said commission, and any person disobeying a subpœna issued by said commission shall be liable to a penalty of one hundred dollars, to be recovered by said commission in an action of debt, for the use of the State. The fees of witnesses shall be the same as those paid to witnesses attending trials in the Court of Common Pleas.

4. This act shall take effect immediately.

Approved April 9, 1908.

Letter of Transmission.

To His Excellency, the Honorable John Franklin Fort, Governor of the State of New Jersey, Trenton:

SIR—In submitting this report to your Excellency I desire to take the opportunity to thank you for the appointment and the opportunity to serve the State. The task has been great, and regret is expressed that more has not been accomplished, but the time has been short and other questions than those immediately growing out of our Commission have pressed for attention.

It is possible that in the work during the past months, mistakes have been made. These have been unavoidable, but the effort has been made to secure only the truth and present for your consideration such a report as might become the basis of permanent reform.

It is not claimed in any sense that the work has been any more than begun. The task is of such proportions that to attempt to finish would have been futile.

Therefore, sincerely trusting you will accept the report as such, finished so far as it goes, but only suggesting the great field we have before us,

I beg to remain,
Most respectfully yours,
ERNEST A. BOOM,
Chairman Committee on Alcohol and Narcotics, Dependency and Crime Commission of the State of New Jersey.

Merchantville, N. J.
December the fifteenth, nineteen hundred and eight.

REPORT.

To the Honorable John Franklin Fort, Governor of the State of New Jersey:

SIR—Pursuant to the resolution passed by the Legislature last year, wherein the Commission appointed to investigate the causes of Dependency and Crime was directed to report to your Excellency on or before the convening of the next session of the Legislature, the following report is respectfully submitted:

Soon after its appointment the Commission met and organized, after which the Commission arranged a plan of work and appointed several committees which should have special charge of the various departments specified in the resolution creating the Commission.

From minutes of meeting of June 3d, 1908:

Resolved, That the methods and forms of questions used in investigating and the scope of work of the Commission be along the same lines as those pursued by the Massachusetts State Bureau of Labor in Document 15, 1896, and the Committee of Fifty in its two reports "The Physiological Aspects and Economic Aspects of the Liquor Problem," with such added questions and lines of work as may be decided upon by the Executive Committee.

Resolved, That to prevent the overlapping of work and to secure the best results, it is agreed that the detail work of this Commission be under the direct supervision of seven committees, as follows:

First: Alcohol and Narcotics. Immigration. Rev. Ernest A. Boom, Chairman.

Second: The Present Penal System. Immigration. Benjamin Murphy, Chairman.

Third: Conditions of Populatioin and Unhealthful Tenement Houses. Immigration. Edward A. Ransom, Jr., Chairman.

Fourth: Diet and Lack of Home Training. Immigration. Mrs. Emily E. Williamson, Chairman.

Fifth: Law Affecting Criminality and Dependency. Immigration. Michael T. Barrett, Chairman.

Sixth: Amusements and Their Relationship to the Causes of Criminality and Dependency. Immigration. Mrs. C. B. Alexander, Chairman.

Seventh: Disease and Its Relationship to the Causes of Criminality and Dependency. Charles A. Rosenwasser, Chairman.

Note: It is understood that the word "immigration as used above shall mean that a distinction be made in the tabulations between native white population, native colored, naturalized and foreign born in the place of birth of each, and length of residence in this country.

The Chairman of the Committee on Alcohol and Narcotics, therefore, would respectfully submit the following:

The work with which this Commission is charged is of the most vital importance to the welfare, not only of our own State, but of others whose problems may be similar, and one which should call for the heartiest and most sincere co-operation of every official and citizen in the State. That the whole matter may be more readily understood we have chosen the form of appeal to figures and data rather than mere opinion, that the force of what may be said shall be clearly felt.

That the State faces a momentous problem in the care of its Dependent and Criminal classes is acknowledged by all who appreciate the situation; hence the appointment of this Commission to study the whole subject. But with almost every penal, correctional and custodial institution in the State either full or overcrowded and appealing for more funds, and the need for further expenditures becoming daily more apparent, we are rapidly facing a deficit in the State Treasury. An examination of the State

finances for the past six years will show to what an extent this depletion has gone on.

On the first day of November, 1901, when the fiscal year of 1902 began, there was a balance in the State Treasury of over two million and a quarter of dollars ($2,351,683.19). The annual receipts for the succeeding years are tabulated in the following table:

TABLE ONE.

Receipts and Disbursements, Showing Increase or Decrease and Balances for Years Specified.

1. Year.	2. Balance at commencement of fiscal year.	3. Gross receipts during year.	4. Total.	5. Gross disbursements.	6. Balance in treasury close of year.	7. Increase in receipts over disbursements.	8. Decrease in receipts.	9. Increase in receipts as compared with preceding year.	10. Increase in disbursements as compared with preceding year.	11. Decrease from balance.	12. Year.
1902,	$2,351,683 17	$4,167,846 08	$6,519,529 25	$3,774,810 99	$2,744,718 26	$393,035 09	No decrease	$497,534 79	$450,960 71	None	1902
1903,	2,744,718 26	4,517,845 07	7,262,563 33	4,310,926 16	2,951,637 17	206,918 91	" "	349,998 99	536,115 17	"	1903
1904,	2,951,637 17	4,386,918 82	7,338,555 99	4,397,637 01	2,940,918 98	None	130,926 25	None	86,710 85	$10,718 19	1904
1905,	2,940,918 98	4,598,075 75	7,538,994 73	4,680,596 60	2,858,398 13	"	No decrease	211,156 93	282,959 59	82,520 85	1905
1906,	2,858,398 13	4,402,968 01	7,261,366 14	5,176,474 75	2,084,891 39	"	195,107 74	None	495,878 15	773,506 74	1906
1907,	2,084,891 39										
Less	140 00										
1907,	2,084,751 39	4,603,099 83	6,686,851 22	5,366,812 78	1,320,938 44	"	No decrease	199,131 82	190,338 03	764,712 95	1907

From these figures we see that the

Balance in State Treasury October 31st, 1905, ...	$2,858,398 13
Balance in State Treasury October 31st, 1907, ...	1,320,398 44
REDUCTION of balance in *two fiscal years*, ...	$1,538,359 69

This again draws attention to the fact that the expenses of the State for the past six years show the following increase:

INCREASE in gross State *expenditures* from October 31st, 1902, to October 31st, 1907, ...	$1,592,001 79
AVERAGE yearly increase for the six years, ...	265,337 16

It should be noted, however, by reference to column 9 of Table One, a large proportion of this increase in expenditure belongs to the years 1902–3. The figures for 1902 show an increase of almost half a million dollars over the expenditure of 1901, while that of 1903 is in excess of half a million over 1902, which means there was only about $13,000.00 less than a *million dollars increase of State expenditures* in 1903 over those of 1901.

A careful examination of these figures will show what the *general* expenses of the State have been, and it is our intention now to tabulate the expenses during the same years for our criminals and dependents, so that the relationship of those expenditures to the total expenditures of the State may be thoroughly understood.

Table Two specifies the amount expended for each object during the year named.

TABLE TWO.

Summary of Expenditures for Dependents and Criminals by the State for the Years 1902 to 1907 Inclusive.

No.	Institution or Charity.	Year 1902.	1903.	1904.	1905.	1906.	1907.	No.
1.	State Hospitals for Insane,	$220,568 52	$383,405 31	$344,915 59	$411,198 95	$554,922 67	$506,932 92	1
2.	County Lunatic Asylums,	213,897 54	217,045 30	219,975 37	223,669 30	231,673 64	240,224 99	2
3.	State Prison,	202,797 17	209,307 89	223,460 93	251,925 46	408,665 03	273,675 97	3
4.	New Jersey Reformatory,	177,893 14	185,794 11	104,950 85	122,222 48	145,010 30	226,202 35	4
5.	State Home for Boys,	69,250 00	65,156 63	78,522 45	72,462 62	86,951 72	111,211 02	5
6.	State Home for Girls,	30,200 54	28,234 80	29,220 25	40,050 59	82,632 14	47,686 46	6
7.	Blind and Feeble-minded,	97,869 35	99,521 27	119,919 48	110,667 33	124,271 57	111,997 91	7
8.	N. J. Sanitarium for Tuberculosis,	50,000 00	.....	100,000 00	.....	100,000 00	70,000 00	8
9.	Tuberculosis Commission,	11,985 80	15,500 00	11,500 00	.....	.....	.....	9
10.	Village for Epileptics,	34,875 93	60,779 51	85,717 06	134,222 78	66,705 22	59,220 20	10
11.	Home for Feeble-minded Women,	.....	.....	.....	.....	.....	5,998 00	11
12.	Department of Charities and Corrections,	.....	.....	.....	.....	9,350 61	10,918 63	12
13.	State Board of Children's Guardians,	8,200 00	5,995 96	6,000 00	9,000 00	7,676 46	8,000 00	13
14.	State Charities Aid,	600 00	600 00	600 00	600 00	600 00	600 00	14
	Gross total,	$1,118,056 99	$1,271,340 76	$1,322,781 98	$1,396,019 71	$1,816,959 56	$1,672,668 45	
	Deduct from the above receipts, from State Prison,	$76,065 81	$77,048 60	$82,632 62	$85,256 03	$96,730 71	$109,287 84	
	New Jersey Reformatory,	2,606 80	11,386 17	13,673 54	8,180 93	14,171 89	30,888 56	
	Net cost to State,	$1,039,384 38	$1,182,906 01	$1,226,475 82	$1,302,582 75	$1,706,036 96	$1,532,492 05	

N. B.—Figures for 1908 of these items show a decided increase.

Even after we deduct the receipts from both the State Prison and the Reformatory, this table shows a *net increase* in such expenditures in six years of a half million of dollars, and still a crying need for more; an increase of 49.49 per cent. in six years, while the general State expenses during the same period have increased 42.14 per cent., and the population of the State only about 12 per cent.

The following table shows more clearly the total *net* cost for the time specified.

TABLE THREE. (RECAPITULATION.)

The total *net* cost to State of New Jersey for the care of its criminals and dependents in the following years as per items in Table Number *Two:*

1902,	$1,039,384 38
1903,	1,182,906 01
1904,	1,226,475 82
1905,	1,302,582 75
1906,	1,706,036 96
1907,	1,532,492 05
Total *net* cost for six years,	$7,989,877 97

which shows an average *annual expenditure* for the period named of $1,432,971.25 for the care of the dependent and criminal classes of this State, a sum just inside of a *million and a half* on an average and *still going up.*

It is interesting to note the relationship these expenditures, as per Table Two, hold to the *receipts* of the State each year, for it must not be forgotten that in *four* of the *six* years specified there was a deficit, so that the surplus had to be drawn upon to a considerable extent.

The following table will show such relationship.

Table Four.

Showing relationship, with percentage, of expendtiures for Dependency and crime to *gross yearly receipts* during time specified:

Year.	*Receipts.*	*Expenditures as per Table 2.*	*Per cent. of yearly income.*
1902,	$4,167,846 08	$1,118,056 99	26.83
1903,	4,517,845 07	1,271,240 78	28.14
1904,	4,386,918 82	1,322,781 98	30.15
1905,	4,598,075 75	1,396,019 71	30.36
1906,	4,402,968 01	1,816,959 56	41.27
1907,	4,602,099 83	1,672,668 45	36.35
Totals,	$26,675,753 56	$8,597,827 47	Av. 32.25%

But as the receipts were in some cases *less* than the expenditures it is not out of place to show the relationship of such disbursements for Dependency and Crime to the *annual expenses* of the State for the period named, which *Table Five* will show.

Table Five.

Relationship, with percentage of *expenditures* for Dependency and Crime, to the total State *expenditures* for years specified:

Year.	*Total State Expenditure.*	*Expenditures as per Table 2.*	*Per cent. of Expenditures.*
1902,	$3,774,810 99	$1,118,056 99	29.62
1903,	4,310,926 16	1,271,340 78	29.49
1904,	4,397,637 01	1,322,781 98	30.01
1905,	4,680,596 60	1,396,019 71	29.83
1906,	5,176,474 75	1,816,959 56	35.11
1907,	5,366,812 78	1,672,668 45	31.17
Totals,	$27,707,258 29	$8,597,827 47	31.03

It must not be imagined, however, that the State Government is the only factor in the expense item which we must consider. It is our purpose, also, to consider the expenses of the several *counties* and *cities, towns, etc.*, of the State, and we shall now proceed to study these.

Expenditures of the various counties during 1907, for dependency and crime.

To avoid long and tedious tables which would fill more space than is necessary, the statement is made in the total figures for *each county* and the gross amount noted at the bottom of the column.

While the expenditures for each county are by no means for the same objects, some are, such as jail, courts, almshouse, etc. But, that there may be no mistake as to what items are included, we append the following list, which comprises them all:

Jail,
Lunatic Asylums (State and County),
Aged Women's Home,
Almshouse,
State Village for Epileptics,
Children's Home,
Poor Bills,
Justice and Constables' Fees,
State Hospital,
Courts,
State Board of Children's Guardians,
Contagious Hospital.

Twelve objects, and, in the case of Hudson County, a new court house, $429,129.00. The aggregate amounts for each county are given below, but it must be remembered that there are items to be credited to those various accounts from fines, poor farm receipts, etc., so that there will be a statement as to the gross expenditures, the amount that is to be deducted and the *net cost to each county.* But in five counties such receipts are not given, so no reduction can be made in those instances. One county, however (Bergen), shows a peculiar condition, for, by their report to the Comptroller, and published by him, they had:

Receipts from courts, almshouses, etc.,	$92,068 82
Expenditures for same,	63,998 43
Balance over expenses,	$29,070 39

A showing no other county makes. We trust the figures given in the compilation of these tables are correct. It might be claimed that these figures may not be *strictly correct,* nevertheless we face

the fact that they are the counties' *own* figures, and being accepted by the State Comptroller and published in his report we may absolved from any discrepancies. Great care has, however, been used in their compilation; they are believed to be substantially correct.

Table Six.

Showing expenditures by county authorities for Dependency and Crime during 1907:

No.	County.	Gross Amount.	Deduct for Returns.	Net Cost.
1.	Atlantic,	$77,329 02	$15,458 45	$61,870 57
2.	Bergen,	63,998 43	92,068 82 (note)	29,070 39
3.	Burlington,	63,494 51	16,272 07	47,222 44
4.	Camden,	129,165 63	33,085 03	96,080 60
5.	Cape May,	11,502 02	256 84	11,245 18
6.	Cumberland,	60,093 22	18,467 75	41,625 47
7.	Essex,	1,069,317 15	152,892 04	916,425 11
8.	Gloucester,	33,067 10	1,521 80	31,545 30
9.	Hudson,	1,156,550 25	129,146 03	1,027,404 22
10.	Hunterdon,	31,631 64	Not given.	31,631 64
11.	Mercer,	173,777 44	12,463 82	161,313 62
12.	Middlesex,	67,130 88	60 00	67,070 88
13.	Monmouth,	113,666 67	Not given.	113,666 67
14.	Morris,	71,292 51	Not given.	71,292 51
15.	Ocean,	21,144 12	Not given.	21,144 12
16.	Passaic,	151,671 53	8,216 25	143,455 28
17.	Salem,	15,724 28	1,465 10	14,259 18
18.	Somerset,	67,845 55	1,454 07	66,391 48
19.	Sussex,	24,823 32	4,442 17	20,381 15
20.	Union,	118,548 23	Not given.	118,548 23
21.	Warren,	32,904 33	5,840 62	27,063 71
	Totals,	$3,554,677 83	$493,110 86	$3,061,566 97

Note.—Balance over expenses in Bergen, see note above.

There are, however, other expenses along these same lines which, to have in mind the whole cost of Dependency and Crime in this State last year, we must add to the above. These expenses are the *local* expenses of each city or town, independent of those incurred by the county. A careful examination of the Comptroller's Report for 1907 gives the following results for

each county. As to the expenses of the various municipalities, only the two heads, Poor and Police, are counted, and, as in several instances, these items are not listed in the Comptroller's report, the total is considerably below the actual cost for these two items.

Table Seven.

Showing local expenses of each City, Town, Township, etc., listed by Counties, for Poor and Police, during 1907:

No.	County.	Amount for Poor Relief.	Amount for Police.
1.	Atlantic,	$10,770 67	$109,652 51
2.	Bergen,	4,773 08	42,354 99
3.	Burlington,	4,551 28	9,463 29
4.	Camden,	3,167 81	121,724 74
5.	Cape May,	540 20	5,436 20
6.	Cumberland,	1,252 02	8,044 80
7.	Essex,	31,086 46	802,338 62
8.	Gloucester,	364 76	2,360 86
9.	Hudson,	12,190 67	788,352 37
10.	Hunterdon,	11,138 43	1,388 33
11.	Mercer,	6,284 25	98,207 29
12.	Middlesex,	18,104 83	26,739 43
13.	Monmouth,	29,707 82	65,203 23
14.	Morris,	1,610 84	14,843 01
15.	Ocean,	3,208 44	32 25
16.	Passaic,	19,296 21	177,683 11
17.	Salem,	942 37	2,466 74
18.	Somerset,	10,030 15	8,650 63
19.	Sussex,	958 20	1,399 92
20.	Union,	41,370 40	126,473 00
21.	Warren,	1,478 62	7,008 51
	Totals,	$212,827 51	$2,425,823 83
			212,827 51
	Gross totals for both Poor and Police,		$2,638,651 34

Recapitulating the foregoing amounts we come to the following as, approximately, the cost of Dependency and Crime in the State of New Jersey during the fiscal year of 1907, so far as it can be gathered from the official statistics of the various authorities mentioned.

Table Eight—Recapitulation.

Net Cost to *State Treasury* for care of its Dependents and Criminals for the year 1907, as per *Table Two*, ...	$1,532,492 05
Net Cost to *County Authorities* for care of their Dependents and Criminals for the year 1907, as per *Table Six*, ...	3,061,566 97
Net Cost to *City, Town, Township* and other local authorities for the care of their Poor and the maintenance of their Police Departments during the year 1907, as per *Table Seven*, ...	2,638,651 34
Total Net Cost of Dependency and Crime to Specified State, County and local authorities, as per *Tables Two, Six* and *Seven*, listed above, for the *Fiscal Year 1907*, ...	$7,232,710 36

Thus it will readily be seen what a tremendous *financial* problem alone is involved in the questions this Commission has been called upon to face and attempt to solve. When we add to the figures given above other items which have been expended from private sources for the care of Dependents, and by those who are interested in the enforcement of the law, etc., together with additional expenses not recognized in the reports quoted, it is the firm conviction of the writer that the total amount paid out last year by the citizens of this State was scarcely less, if any, than the enormous sum of *eight millions and a half of dollars* to care for the Dependents and Criminals.

With such a problem presented it is not felt at all out of place that at this time only a preliminary report can be offered. Such an investigation as should be conducted to reach the desired results ought to have ample funds and plenty of time. The results of its findings would be so far-reaching that nothing should be spared to make the inquiry as thorough as possible.

The writer is charged, however, with more specifically reporting on what connection there is between the consumption to excess of alcoholic liquors and drugs to Dependency and Crime in our State, as well "as such other factors as increase the defective and criminal classes," and in reply would say:

For several reasons it has not been possible to carry on an original investigation as planned, to determine the exact relationship of these two factors alone to the question involved in our own State.

The plan outlined and agreed upon at the meeting of June the 3d, and supplemented at the meeting of November the 6th, when Commissioner Mrs. Williamson presented among other suggestions the following:

> "That in other cases in connection with these institutions (penal and other) at least one dozen typical cases shall be taken from the books and a complete investigation made of such cases, going backward several generations, if possible, to get at the complete history of the case."

Had it been carried out it would have been productive of many good results, and it is to be hoped that sufficient funds may be available and time granted for such thorough and scientific study of this part of the program as will enable more definite information to be offered in a subsequent report. It is possible, however to make a pretty fair estimate, based upon experiences elsewhere, and from the testimony given in reports and by those whose daily contact with these classes makes their statements worthy of credence. For the most part, and so far as possible, we shall confine ourselves to the available data from our own State.

The subject of the relationship of alcoholic drinks to Dependency and Crime is so intricate that it should be approached with due care, and all sides of the question given due consideration. It is the conviction of the writer, after careful study of the subject for several years, that in the liquor traffic we find not only a menace to the mental, moral and physical welfare of the State, and the greatest factor in the creation of Criminals and Dependents by reason of what it sells, but *much more so by reason of the false moral standards it sustains.* In its utter defiance of all restriction and law, as seen by the testimony forthcoming from every side, and in the atmosphere created by it, there is danger, and not alone the effect of a few drinks of liquor on a given individual, however bad that might be. This defiance of law and restriction strikes at the root of every fundamental idea of our government and breeds more crime than the direct effect on the individuals, great as that is. As a mere safeguard of our insti-

tutions, this business *must be controlled.* The spectacle of certain interested parties in Atlantic City, for instance, getting together and agreeing, as was testified under oath before the Excise Commission by Mr. Charles Spiedel and others of that city, how that, after the State had passed a law declaring that the liquor business should be conducted in a certain manner, they deliberately agreed, with the full knowledge and consent of the authorities of the city, to run their business in direct contravention of that law, is productive of more harm than the mere act of selling the liquor itself. It would be highly beneficial to the best interests of the State should the parties to that agreement, copy of which is appended, be proceeded against, either for criminal conspiracy against the State or such offence as the entering into and carrying out of such an arrangement in violation of the law of the Commonwealth constitutes.

Correct copy as testified to by Charles Spiedel:

REGULATIONS AGREED TO, TO TAKE EFFECT JUNE 1, 1907.

1. "On the Sabbath day we agree to lock main door, and where no other door exists, leading into bar-room, completely screen the one used and all windows, so there may be no exposure of the bar, or rooms where liquor is sold or served. Exceptions to this will be made to dining rooms in hotels."

2. "We further agree that there shall be no music whatever in any saloon room connected therewith where drinks are served, neither in any Grotto-Café where liquor is served."

3. "Also agree to have all the signs removed now and hereafter from fronts and sides of any and all places either upon the beach or side avenues south of Pacific, that would indicate the sale of liquor."

4. "Agree further to aid in revoking any and all licensed places where they sell on Sunday to anyone that carries liquor away in kettle, pitcher or any receptacle."

5. "That there shall be no beer wagons serving beer on Sunday, neither shall any liquor wagons serve."

6. "Furthermore: We agree not to sell to minors, or intoxicated persons, and will assist in prosecuting same."

7. "Our object shall be to reduce the number of saloons. We will vigorously oppose any more beach-front licenses, and those on side avenues below Pacific, except to hotels of 100 rooms or over, and they to comply with foregoing resolutions and agreements, and to oppose and revoke all licenses where saloons are not conducted in an orderly manner."

8. "We pledge good faith in the above, and will see them carried out honestly and faithfully by the Mayor and City Officials, who shall do their duty in exacting from all obeyance. Any neglect of the above shall be the signal for the enforcement of the present and more rigid conditions that exist now."

9. "To enforce restrictions as applied to the back room associated with saloons."

10. "Gambling in Atlantic City to be absolutely suppressed by the Mayor and Police Department."

Note: Section 8 is probably unique in this or any other State. For men to band together and agree to violate the law and then to pledge themselves to see said violations carried out *"honestly and faithfully by the Mayor and City Officials who shall do their duty in exacting from all obeyance,"* is a situation it would be difficult to duplicate.

That the provisions of this agreement are even now being carried out the following affidavits would indicate. Copy of letter and affidavit from WILLIAM REED WINTERS, of Atlantic City, which tells its own story. I would, at this time, remind your Excellency that this Mr. Winters is one of the gentlemen whose affidavit some months ago, together with one from Mr. James E. Steelman, of the same city, you quoted in the public appeal you made for the enforcement of the law in Atlantic City:

ATLANTIC CITY, N. J., December 8th, 1908.

Rev. Ernest A. Boom,
Merchantville, N. J.

DEAR SIR—We looked the city over pretty thoroughly for several Sundays, until the past week or two, and believe that

four-fifths of the saloons and hotels have been open on Sunday for at least six weeks.

Evidence was secured against Louis Kuehnle on Oct. 11th, sample taken, and he was placed under $1,000 bail for appearance before the Grand Jury. The charge against Delany was for selling on Aug. 23rd.

These with about twenty-two other cases were presented to the Grand Jury by Mr. Steelman, myself and two other detectives, but were all ignored.

I secured evidence against Thos. J. Sullivan and E. B. Eckert on Oct. 4th, and have the samples which I purchased, and enclose affidavit to that effect.

It should be known that there is a more defiant spirit manifest upon the part of the liquor dealers than before the proclamation was issued. Threats have also been made against us, so that it is really dangerous for us to try to get evidence, and we would not get any protection from the authorities, I fancy.

State of New Jersey, }
Atlantic County, } *ss.*

William Reed Winters, of full age, a resident of Atlantic City, being duly sworn according to law, upon his oath saith, that on the fourth day of October, A. D. 1908, the said day being the Sabbath, he in company with John J. Mason did visit the saloon of Thomas J. Sullivan, at the northwest corner of Arctic and Illinois avenue, in the City of Atlantic, and did there see a number of persons in the bar room engaged in drinking, as he fully believes, various intoxicating liquors; that he and the said John J. Mason were served with whiskey, that he paid for the same and secured a sample of said whiskey, and that the said Sullivan was transacting business as on other days of the week, which is contrary to the laws of the State of New Jersey.

The deponent further saith, that he also visited the hotel of E. B. Eckert, at the S. W. corner of Atlantic and Massachusetts avenue, on the said date, and was there served, together with two other persons, with spirituous liquors, samples of which were secured by himself and another person; that the bar room was fully lighted, that several persons were assembled in the bar room and that the place was open for the sale of liquor as on other days of the week, which is contrary to the laws of the State of New Jersey.

The deponent further saith, that on several Sabbaths since the above date, he has visited a large number of the saloons and hotels of Atlantic City, and has found the side dors open, persons passing in and out of said places, has seen wines and liquors exposed for sale as on week-days, and believes that fully four-fifths of the hotels and saloons of Atlantic City have for several weeks since the proclamation issued by Governor J. Franklin Fort, been openly conducting their business in direct violation of the laws of the State.

Signed,

WILLIAM REED WINTERS.

Sworn and subscribed before me this eighth day of December, A. D. 1908.

JOHN D. HUGHES,

(Seal.) *Justice of the Peace,*
Atlantic City, New Jersey.

Through thus subverting the ends of justice and often by thwarting the course of the law, other men are led to believe that they can escape punishment, and so commit crime. There is hardly need to draw attention to the lack of enforcement of law generally at this point, but the following, taken from the report of Commissioner Benjamin Murphy, for over thirty years a prominent police officer and chief of Jersey City, is of great value.

Mr. Murphy says:

"That crime is on the increase there is no doubt, and I believe it will continue to increase unless a radical change is enacted that will have an effect to check the criminal classes. Except in the heat of passion, or by people of unsound mind, everybody who commits crime know they are doing wrong and that the law says they are to be punished for their wrong-

doing; unfortunately, however, a large number of our law breakers know that it does not follow that, because they commit crime, they are going to be punished as the law provides. They know that, except in very high crimes, only a small percentage of those arrested for crime are only inconvenienced by an arrest and giving bail in a police court, after which the case is ended. The moral effect of such conditions is demoralizing, and, if permitted to continue, will breed contempt for the law and encouragement to anarchy."

ALCOHOLISM.

It is manifestly difficult to tell how many lives were lost last year by alcoholism. The following statement, taken from the Mortality Statistics of the Federal Census Bureau for 1906, at the foot of page 55, are equally true of our own State:

"It is not at all likely that there should be very definite returns of deaths due to this cause (alcoholism), especially those due to the indirect effects of alcohol. Many chronic degenerative diseases, such as cirrhosis of the liver, must be considered in estimating the total effect of alcoholism, and as the certificates of death from the secondary effects of alcohol frequently make no reference to alcoholism as a primary cause, it is impossible to make a complete statement in this respect."

The vital statistics of our own State for 1907 give the following:

Alcoholism, ... 265
Cirrhosis of the liver, ... 298

Of the *effect* of the daily consumption of alcohol on the individual it is not my purpose here to treat, but it is not out of place to state that while it bears a large proportion of the responsibility for the expenditures enumerated in the tables given above, it is conceded that "for every real drunkard there are fifty others suffering from the effects of alcohol" (Dr. George Harley). Not only is this true in a direct sense, but the predisposition of the alcoholic to disease is another factor which it is impossible for us to eliminate from our calculations.

SUICIDES.

There were three hundred and thirty-eight (338) *suicides* in the State during 1907. As to the proportion of these due to discouragement, etc., over drinking there are no records. Of two, personally known to the writer, *both* had drink as the direct cause. Professor Hillier, of Kiel, Germany, made autopsies on three hundred (300) suicides, and found nearly one-half (144) were alcoholics. Another test of two hundred and twenty (220) consecutive cases showed seventy-eight (78) per cent. alcoholics and directly due to alcoholism. There is no reason to doubt, then, that a goodly proportion of the suicides can be credited to this habit.

TUBERCULOSIS.

Alcohol has a direct effect on the *consumptive*. The sanatorium for the care of whom has cost the State $320,000.00 within the past six years, and to which we have sacrificed over 20,000 lives within the same period. The connection between the consumption of alcoholics and tuberculosis has been proven by statistics, data being at hand to prove that in one institution (Loslau) only *six per cent.* of the inmates were found to be total abstainers. Dr. Bauderon found that in one district in France where there was only a moderate indulgence in alcohol (12.5 litres per annum for each person), the death rate from tuberculosis is only 3.3 per 1,000 inhabitants. On the other hand, in a district where the amount rises to 35.4 litres per person per annum, the death rate rises to 10.8 per 1,000 for the same disease, which is three times as great as in some parts of France. These, and other facts produced, led the International Congress on Tuberculosis, when it met in Paris in 1905, to pass the following resolution:

"That in view of the close connection between alcoholism and tuberculosis, this Congress strongly emphasizes the importance of combining the fight against tuberculosis with the struggle against alcohol."

Dr. Lawrence F. Flick, the Philadelphia specialist on this disease, says it may be a "predisposing and a contributory cause," while the last report of the Phipps Institute, of which he is the head, makes the statement, "based upon careful statistics, the results obtained in the treatment of tuberculosis are nearly twice as good in the non-alcoholic as they are in the alcoholics."

When we consider that 94,227 lives have been sacrificed to the White Plague in this State during the past 28 years, together with the additional fact that the scourge leads the death rate of the whole State with 16.64 per 10,000 inhabitants for its record in 1907, and that last year 3,654 lives were lost by it, then the statement by the International Congress referred to above as to the close connection of the consumption of alcohol with tuberculosis should give us food for much thought.

HEREDITY.

Modern science has proven that not only is the consumer personally affected, but that the offspring are born with a diminished power of resisting disease and even with positive tendencies to certain specified ailments, even affecting the moral nature, thereby predisposing them to crime and immorality.

Coupling with the declarations of modern medical science the returns from our State institutions, with criminal and other records, the writer believes it to be no exaggeration of the facts to state that the general average of Crime and Dependency in this State last year due directly and indirectly to the traffic in intoxicating liquors was at least fifty per cent. of the total cost as stated in Table Two.

The accompanying tables will show what a large part it plays in the criminal annals of the State, much more than fifty per cent., and this will undoubtedly even up the list for insanity, where it is only credited with 40 per cent., so that we have for our pains expended the sum of $7,232,710.36, a half of which can, with good reason, be traced to the use and abuse of intoxicating liquor in this State *last year* alone.

This gives us the sum of $3,616,355.18, over three and a half millions of dollars, which was expended by the various official

bodies from the public treasuries for the care of those dependents and criminals which can be traced to the use of intoxicating liquor last year alone. When one takes into account the *unofficial cost*, such as loss of time, wages, etc., through the habit, by sickness, imprisonment, etc., etc., and of those also who have become neither dependent nor criminal through their habit, it is readily to be believed that the official and unofficial cost of this traffic to the State last year is in excess of *six millions of dollars*. One illustration may suffice. One man (see page 660 of minutes) has testified that one drunk cost him a sentence of sixty days in the Hudson County Jail, of which he had served twenty-four and was to be released that day, when getting out temporarily he was able to secure more liquor and in consequence had to serve thirty-six days more. The loss to him and the family dependent upon him during his incarceration should not be left out of any computation which seeks to arrive at even an approximate estimate of the cost of this business to our citizens. Again, there were nine charges preferred against police officers in the City of Paterson last year and *eight* were either for intoxication or for intoxication and failing to report.

An examination of the disposition of these eight cases shows that one was pending (when the police report was made) and that the other seven were suspended for 46, 59, 30, 37, 30, 15 and 60 days respectively, while one was dismissed finally. A total loss to these men of *two hundred and seventy-seven* (277) days. But they neither come under the head of the Dependant or Criminal so far as cost to the State is concerned, yet when one counts the loss of salary and consequent diminished purchasing power in these instances alone, the economic waste is more readily appreciated.

Of course, we are not here considering the money spent to *purchase the liquor*, but only the resultant cost to care for the product of that sale, and even then only when they become public charges. As to the proportion—50 per cent.—being a fair one, we would draw attention to the almost uniform statement made by those testifying before or writing to this Commission, in almost every case they put the liquor question *first as a cause*, and the percentage highest.

The testimony of some of the heads of the penal institutions in the State is that a large proportion of the inmates are there either directly or indirectly through alcoholic drinks. Dr. Alexander Marcy, Jr., said, at Trenton, that the major portion of our epileptics can be traced to this cause, while Dr. Brittan D. Evans, Medical Director of the Insane Asylum at Morris Plains, testified that fully forty per cent. of their inmates are there through the drink habit, and in this statement Dr. H. A. Cotton, of the Trenton Insane Institution, not only concurred, but added that a large number of their inmates are there *listed as insane who are simply suffering from the drink habit, and that they are so listed as insane because of defects in our present system of committments.*

Further, Dr. Clouston, an English expert on insanity, and head of an institution in that country, has said:

> "It is certain that for every man in whom excessive drinking causes absolute insanity there are twenty in whom it injures the brain, *blunts the moral sense,* and lessens the power for work in lesser degrees."

The records of the Hudson County Penitentiary tell quite a story along this line as to the proportion of criminals whose personal habits place them amongst the heavy drinkers. The record shows:

Total number in Hudson County Penitentiary in 1907—773.

Abstainers,	108
Moderate drinkers,	163
Intemperate,	502

Being about 65 per cent. intemperate and 20 per cent. moderate drinkers.

The Committee of Fifty, headed by the Honorable Seth Low, put the average at 48 per cent., and was considered by many too conservative.

Nelson Erickson, National Secretary of the Salvation Army Department of Charity, in his statement, which is part of our record, says:

> "First I put Intemperance and the habitual use of drugs as the *most evident cause* of Dependency and Crime."

Mr. William T. Day, of Elizabeth, President of the Charity Organization Society, is also on our record with his testimony that:

> "Our data indicates that about *eighty per cent.* of the cases of Dependency and Crime which come under our observation are due to the drink habit. A large proportion also of the children's cases brought to our attention are also attributable more or less *directly* to this cause."

The Parole officer for the State Prison testifies that 72 per cent of those returned to prison with revoked paroles are sent back for crimes committed while drunk.

One character known and referred to at the Hudson County Institution, had spent about thirty years there through drink.

Dr. Brittan D. Evans, of Morris Plains, testified at Trenton that he knew of one man who had been jailed 126 times for drunkenness and got to like it.

Of the seven deaths at Hudson County Penitentiary during 1907-8, *six* were from alcoholism and one from tuberculosis. Of the alcoholics, one was buried from his home by friends, as was also the one who died from tuberculosis, *but five of the alcoholics were buried at the expense of the county.*

Possibly no further testimony as to the manner in which this factor enters into the expense account is necessary. We might, however, refer here to the effect the public drinking place has upon the people by drawing attention to the rapidity with which the authorities close them up in time of riot, strike or disaster, as a mere matter of public protection.

Much could be added by way of testimony on the proportion of Crime and Dependency due to this great cause, but enough has been given to confirm the statement that at least half of this tremendous expense comes either directly or indirectly through the influence of strong drink. But it may be claimed by some, who would have such a report as this very conservative indeed, that I have no figures to substantiate even the estimate I have made. Let the following tables show who is correct. I have taken, at random, some returns from the chiefs of police of eight cities, which are duly specified, and examined them with the following results. Eight specific charges are taken out of each

city's list as follows: *assault, assault and battery, atrocious assault and battery, disorderly conduct and disorderly person* (placed together for convenience), *drunks, drunk and disorderly, violating the excise laws,* and *cruelty to, neglect of and non-support of children and family.* A list which, it is believed, almost anyone will concede to contain no charge which cannot in a large measure be traced to drink. These crimes form *in every case specified the major portion of the total list,* as the following table will show:

TABLE NINE.

List of eight specified crimes (as listed above) and proportion, with percentage of total.

City.	*Total Crimes.*	*Crimes as above.*	*Per cent.*
Jersey City,	10,321	6,769	65
Trenton,	3,297	2,079	63
Paterson,	3,673	2,698	72
Newark,	10,178	6,069	60
East Orange,	457	278	60
Perth Amboy,	827	454	55
Bayonne,	2,978	1,814	60
Camden,	3,039	2,198	72

A general average of the eight cities of about 64 per cent., an average which holds so true throughout the list that the exception proves the rule. And it varies very little, even when one considers the different classes which are represented in the above list of cities.

TABLE TEN.

Criminal Statistics of Eight Cities Mentioned Above.

City.	*Assault.*	*Assault and battery.*	*Atrocious assault and battery.*	*Disorderly conduct; disorderly persons.*	*Drunks.*	*Drunk and disorderly.*	*Violating excise laws.*	*Cruelty and neglect of family.*	*Total arrests.*	*No. as above.*	*Per cent. of total.*	
1. Jersey City,	135	1,198	310	3,423	1,231	338	79	55	10,321	6,769	65	1
2. Trenton,	25	80	30	811	604	502	3	24	3,297	2,079	63	2
3. Paterson,	...	129	31	1,149	214	907	118	60	3,673	2,698	72	3
4. Newark,	10	530	53	2,807	2,175	243	111	140	10,178	6,069	60	4
5. East Orange,	...	17	...	131	....	114	3	13	457	278	60	5
6. Perth Amboy,	34	100	...	58	16	189	26	31	827	454	55	6
7. Bayonne,	9	261	37	1,235	144	115	6	7	2,978	1,814	60	7
8. Camden,	4	275	6	508	....	1,495	1	...	3,039	2,198	72	8
Totals,	237	2,590	467	10,122	4,384	3,883	347	330	34,770	20,359	Av. 64%	

Another factor enters very largely, however, into the criminal records of our State, for when the last census was taken by the Federal Government we showed 52.5 per cent. of our *male population of voting age* either foreign born or their parents were. When the State census was taken in 1905, it was found that a large number had come in in the four years which had intervened. So that an examination of the returns from the police departments of the same cities reveals a large percentage of the criminals to be of foreign birth, but the returns give no data as to the birth of the parents, yet it is entirely safe to state that a goodly number of the balance are from the homes of those whose early training was in other countries. It is interesting to note, and for that reason they have been specified, the number that came from some of the countries, the eight countries which lead are listed in different columns, and those coming from these countries enumerated underneath. It is also of interest to note that while the general average keeps up pretty well, there is, nevertheless, a change of nationality to be noted somewhat in each city. For instance, Trenton has only two from Austria, but leads the list on Hungarians. Newark leads in Austrians, but drops somewhat on Hungarians, while she leads in Irish. A careful study of this table will repay one for the time. It evidences the fact of the cosmopolitan character of our population, and the problem set us for consideration. It is to be regretted that data is not at hand to show how long these foreigners have been in the country. Those whose daily dealings bring them into contact with these criminal classes, state that most of them have been here a comparatively short while. This question should be added to the list by the various police departments.

The Police Department of Camden has two very interesting additions to what we find in the others enumerated, viz., the proportion of crime committed by these foreigners and the nature thereof. Upon examination we find, then, that the 601 crimes committed by the foreigners of Camden cover twenty-eight different offenses, and that of the eight listed above we find:

Assault and battery,	80
Disorderly conduct,	105
Drunk and disorderly,	290
Violation Excise Law,	1
	476

Showing a total of 476 such crimes out of a total of 601, which reveals the class of crime our foreign-born population is charged with.

We have next listed and arranged, according to nationality, the number of crimes committed in the specified cities, which the next table will show.

TABLE ELEVEN.

Showing Nativity and Relation to Certain Nationalities.

City.	Total Arrests 1907.	Total White.	Gross U. S.	Colored.	England.	Austria.	Germany.	Poland.	Russia.	Italy.	Ireland.	Hungary	Other Nationalities.	Total Foreigners.	
1. Jersey City, ...	10,321	9,755	6,133	566	123	175	475	539	605	846	945	78	411	4,188	1
2. Trenton, ...	3,297	3,047	2,063	250	82	2	84	100	99	244	131	273	219	1,234	2
3. Paterson, ...	3,673	3,492	2,089	181	155	41	169	59	170	271	326	21	362	1,584	3
4. Newark, ...	10,178	9,158	6,033	1,020	215	262	597	263	438	853	1,005	135	377	4,145	4
5. East Orange, ..	457	371	312	86	10	2	26	3	7	41	37	1	18	145	5
6. Perth Amboy,..	827	810	332	17	6	6	35	93	42	32	22	197	62	495	6
7. Bayonne, ...	2,978	2,920	1,415	58	57	143	80	499	307	207	237	36	87	1,503	7
8. Camden, ...	3,039	2,632	2,438	407	54	12	65	...	116	124	177	...	53	601	8
Totals, ...	34,770	32,195	20,815	2,185	702	643	1,531	1,457	1,785	2,618	2,880	741	1,589	13,755	

The preceding table has shown the nationality, and we would draw special attention to the fact that after the number coming from the eight specified countries has been deducted from the total number of foreigners, it leaves a very small percentage to be divided amongst a good many other nationalities, which the following table will show:

TABLE TWELVE.

City.	Number of Foreigners after deducting those specified in columns of preceding table.	Number of Countries represented besides those so specified.
Jersey City, ...	411	24
Trenton, ...	219	12
Paterson, ...	362	20
Newark, ...	377	23
East Orange, ...	18	7
Perth Amboy, ...	62	10
Bayonne, ...	87	18
Camden, ...	53	12

STATE PRISON.

A careful examination of the report from the State Prison, at Trenton, shows practically the same condition:

Total Prisoners at close of year, ...	1,251
Nativity U. S., ...	867—70% of Total
Foreign born, ...	386—30% of Total
Of those born in U. S. there were born in N. J.,.....	363
Of those born in U. S. there were colored, ...	374—30% of Total
Of those born in U. S. there were white, ...	489

Of the total *white* population 44 per cent. were *foreign-born.*

On the first day of last November there were one hundred and eighty-nine (189) Italians incarcerated in State Prison, at Trenton. Of these, *one hundred and eighty-three* (183) came from Lower Italy, Sicily and Calabria, known as the Brigand District.

It should also be noted that the sentences for murder and manslaughter are constantly increasing. The report on these crimes from the State Prison is as follows:

TABLE THIRTEEN.

Year.	*Number committed for murder and manslaughter.*	*Total population of prison.*
1902,.....	97	Out of 1,021
1903,.....	103	" " 1,167
1904,.....	112	" " 1,175
1905,.....	133	" " 1,206
1906,.....	144	" " 1,219
1907,.....	157	" " 1,251

Being 11.75 per cent. of the population of the prison for the past year and an increase of sixty in the six years enumerated.

The percentage of foreigners is also seen in the record of the Hudson County Penitentiary, which last year had seven hundred and seventy-three (773) prisoners, four hundred and fifty-three (453) of whom were native born and three hundred and twenty (320) were foreign born.

There is little or no difference, however, in result whether one's inquiry is pursued amongst the Criminal or the Dependent classes; the State Hospital for the Insane at Morris Plains reports having 1,824 patients at the close of last year. Of these 417 were taken in during 1907. Examination shows the following:

Admitted to State Hospital, Morris Plains, during 1907, ...		417
Nativity—U. S., ...	238	
" Foreign, ...	173	
" Unknown, ...	6	
		417

And, for fear this is not sufficient evidence, turn to the Trenton Hospital, and we find:

Admitted to State Hospital, at Trenton, during 1907, ...		317
Nativity—U. S., ...	219	
" Foreign, ...	89	
" Unknown, ...	9	
		317

Sixty-six per cent. of the inmates of the Hudson county institutions are foreign born.

It is interesting for this report further to note that of the 317 admitted to the Trenton Hospital during 1907 there were seventy-five (75) where there was acknowledged intemperance in the use of intoxicants, and twenty cases where the father was intemperate, and three cases where both parents were intemperate, making ninety-eight (98) cases out of 317 where the returns are beyond a doubt, and in seven cases the opium or cocaine habit existed. The Trenton Hospital has 1,589 inmates—opened in 1848 with 83 inmates; in 1876 they had 472 and have increased, therefore, about *three and a third times* since 1876. The Asylum at Morris Plains was opened in 1876, when they had 342 inmates; last year they had 1,824; so that in the thirty years the number of their inmates increased about *five* times, while in the same period the population of the State did little more than double. This statement needs no comment, especially when we consider that this and every other penal and custodial institution of our State is overcrowded.

A summary of the report of the Hudson County Penitentiary for the past eleven months in comparison with the previous year, 1907, for the same period, will show the ratio of increase in the number admitted.

TABLE FOURTEEN.

Number present in institution on date named.

Month.	*Year 1907.*	*1908.*	*Increase 1908 over 1907.*
January 1st, ...	146	241	95
February 1st, ...	157	221	64
March 1st, ...	152	219	67
April 1st, ...	171	248	77
May 1st, ...	190	262	72
June 1st, ...	194	253	54
July 1st, ...	202	248	46
August 1st, ...	221	255	34
September 1st, ...	205	248	43
October 1st, ...	199	242	43
November 1st, ...	199	243	44
Total increase over preceding eleven months, ...			639
Average increase per month during 1908, ...			58.1%

It is to be regretted that lack of time and facilities for gathering the data prevent us from giving as complete a report as we would like, especially in regard to the use and sale of narcotics and drugs. It is sincerely hoped that more attention can be given to this phase of the subject in the coming months.

Special mention should here be made of the uniform courtesy extended to this Commissioner by every official, without exception, to whom appeal has been made for either data or suggestions. So much interest has been shown in the work of this Commission and its possibilities for usefulness, and so many statements given, in confidence many times, as to the need of a thorough investigation along the lines indicated in the resolution which authorized the appointment of such a Commission, that the writer is convinced that the intent and aim of the said resolution has the hearty support of everyone who, appreciating the conditions which exist to-day throughout the State, are desirous of seeing changes made which will remedy many of the existing evils.

After careful consideration and, in many cases, personal observation, your Commissioner is led to offer to your Excellency for consideration the following recommendations, to wit:

Recommendations.

Your Commissioner had hoped that the report of which these recommendations form a part might have been given such consideration by the Commission, as a whole, that they would have seen fit to adopt in their report the facts, or some of the facts and figures gathered and stated. They have not seen fit to do this, and I am therefore impelled to send this to your Excellency as a minority report.

There is always legitimate room for diverse opinions as to conclusions to be drawn from facts, and as to what is best and wisest to recommend as the result of the gathering of such facts, but your Commissioner is compelled to state frankly that he sees no just reason why *facts*, as such, should not have been given consideration sufficient to enable the vote to be taken on their merits.

The following recommendations were, in part, read in full to the Commission last Thursday, but repeated requests *not* to read them finally led me,

First. To only *outline* my further recommendations, and

Second. To refrain from making any more.

I therefore desire to present to you, sir, the following:

It is only fair that I state that at the time these recommendations and the report, of which they form a part—which report was not read at all—were considered in any way, neither Commissioner Murphy nor Advisory Commissioner Prince were present, and, so far as I know, the latter has not been consulted as to any of the findings or recommendations in either report.

I wish also to state that there are many recommendations in the majority report with which I can heartily concur, and as I have left my recommendations, with only the additions which will be specified, as it was last Thursday, those which bear any resemblance will easily be noted.

Your Commissioner can not help but feel, however, that the real need of the hour is not so much a tremendous revolution of our methods of taking care of the Dependent and Criminal, involving the expenditure of vast sums of money, however praiseworthy the plans may be, nor the recommendation of some great comprehensive plan upon which we can all agree, so far as it being a good measure is concerned. But, with the need of something definite to be done to acquaint the citizenship of this State with the tremendous problem which they have to face, I cannot help feeling that some provision should be made either for the continuance of this Commission or the adding to the force and powers of the Department of Public Charities and Corrections, or the creating of some new board for the carrying out of the work this Commission was created to do. It should be understood that this does *not* mean the public probing of our institutions and the putting of the various officials on the defensive. If such work is to be done it should be done by a Commission created for that purpose, and the evident intent and purpose of the resolution authorizing the appointment of this Commission kept in view all the time. That there be no misunderstanding, I might here state that I have attended every public hearing of this Commission, and the questions I have asked will be seen upon reference to the record to substantiate the position I now announce. Further, I have from the first striven, so far as possible, to secure such investigation into the *causes of dependency and criminality* as seemed to me to be in harmony with the spirit and wording of the resolution referred to above, rather than investigation as to *how we take care of them after we get them.* Therefore, I do recommend that the sum of twenty-five thousand dollars be appropriated, said sum to be at the disposal of your Excellency, either for the use of this Commission or to enable the same kind of work as was intended to be done by the passage of Chapter 140 of the Laws of 1908, to be done by some other body now in existence or to be created. The said Commission or board to make a thorough and scientific study of the *causes* of Dependency and Crime as stated in said law. They shall issue, quarterly, through the Governor, a public bulletin upon their findings and recommendations, issue a report through the Governor to the Legislature of 1910, and a final one to the Legislature of 1911. If such a body is not *expected nor permitted* to hold public hearings with the idea of merely *probing,* necessitating the taking of voluminous testimony, etc., but its work prosecuted in a careful and up-to-date manner, the said $25,000.00 would be ample for all its expenses. It would repay itself to the State many times over. for the need of the hour in the State is not so much *public probing* of the conduct of institutions and display of individual cases as it is the conscientious and scientific ferreting out and suggesting of plans for the elimination, if possible, of the causes. If it be claimed that, in the face of facts and figures given above as to a possible deficit in the State Treasury and the many demands for money in other directions, this request should not be made, it is respectfully urged that the Legislature consider the advisability of repealing Chapter 56 of the Laws of 1908, which authorized the establishing of

> "A Live Stock Commission of the State of New Jersey for the purpose of promoting interest in the breeding of pure bred domestic animals and the improvement of grade animals of the various breeds,"

and which carried with it an appropriation of $20,000 to

> "purchase and maintain stallions of draft and coach types for distribution and use in the several counties of the State."

If this act should be repealed the $20,000 thus released, and the $5,000 already appropriated, but not yet at the disposal of this Commission, would give the amount above mentioned, which would enable the work to be prosecuted along lines which will produce results of great permanent benefit to the State. It is further felt that, in view of the need in the direction suggested by the creation of this Commission, that the sum would be far better spent in caring for our Dependent and Criminal classes and in suggesting plans to improve their welfare than in such expensive solicitude for the improvement of the breed of horses at this time.

PUBLIC POSTERS.

Second. The compiling, by the Board of Health of the State or some other equally responsible body, of a statement on the

effect of alcohol upon the human system, which shall be printed in the languages most commonly used by our foreign population and also in English, said posters to be furnished free to all police stations, hospitals, clinics, libraries, schools and other public places or persons when they will undertake to post them in prominent places and keep them displayed. In those places under State or municipal control the posting should be compulsory. This would tend to draw attention of these people to facts which otherwise they might not learn in such an official manner as to add force to them. That a clear idea may be had of what is in mind a copy of such parts as might be usable by our State is appended of the document exhibited in many such places on the Continent of Europe and in England and Australia by their respective Governments.

ALCOHOLISM AND PHYSICAL DEGENERACY.

Best elements of posters put up by city governments in France, Great Britain and Australia are combined in the following:

FROM PROCEEDINGS FRENCH SUPERVISING COUNCIL OF PUBLIC AID, 1902, REPORT BY PROF. DEBOVE, DEAN OF THE FACULTY OF MEDICINE:

Alcoholism is the Chronic Poisoning which Results from the Habitual Use of Alcohol, Even when the Latter Would Not Produce Drunkenness.

It is an error to say that alcohol is necessary to workmen who engage in fatiguing labor; that it gives heart to work, or that it repairs strength: the artificial excitation which it produces gives place very quickly to nervous depression and feebleness.

The habit of drinking entails disaffection from the family, forgetfulness of all duties to society, distaste for work, misery, theft and crime. It leads at the least to the hospital, for alcohol engenders the most varied maladies: paralysis, lunacy, disease of the stomach and liver, dropsy. It is one of the most frequent causes of tuberculosis. Finally, it complicates and aggravates all acute maladies. Typhoid fever, pneumonia, erysipelas, which

would be mild in a case of a sober man, quickly carry off the alcoholic drinker. The hygienic faults of parents fall upon their children. If the latter survive the first months they are threatened with idiocy or epilepsy, or, still worse, they are carried off a little later by tuberculosis, meningitis or phthisis.

FOR THE HEALTH OF THE INDIVIDUAL, FOR THE EXISTENCE OF THE FAMILY, FOR THE FUTURE OF THE NATION, ALCOHOL IS ONE OF THE MOST TERRIBLE SCOURGES.

(Foregoing is from poster put up by French city governments to check national decay that has led to deaths exceeding births. What follows is from British Parliamentary Report on Physical Deterioration, prompted by failure of a majority of candidates for enlistment in the British army to pass physical examinations. In consequence, British city governments post these extracts as a warning, not only in Great Britain as a cure, but also in athletic Australia as a preventive. For one or other of these reasons such a warning should be posted in every city and town of the world and read in the schools.)

THE CONTINUED USE OF ALCOHOL, WHETHER IN THE FORM OF BEER, WINE OR SPIRITS, EVEN THOUGH NOT TO THE EXTENT OF DRUNKENNESS, OFTEN LEADS TO CHRONIC POISONING.

Of 61,215 people, the average deaths per year by insurance tables will be 1,000. Of 61,215 liquor sellers, the death average is 1,642. Of 61,215 Rechabites (abstainers), the death average is 560.

Sir Frederick Treves, Physician to King Edward, declares that alcohol is an insidious poison, and should be subject to the same strict limitation as opium, morphia or strychnine, and that its supposed stimulating effects are delusive.

Respectfully submitted for consideration of citizens by

....

(Spaces for names of authorities issuing posters.)

Dr. King, of the Hudson County Insane Asylum, heartily endorsed this plan for educating the people on this subject (see pages 416-9 of stenographic record), while Doctor Flick stated in his paper read before the Conference of Tuberculosis, held in Philadelphia a few weeks ago, regarding the effect of Alcohol and Tobacco on the Consumptive:

"The truth upon this subject should be promulgated everywhere. For most people it is only necessary to recognize the truth to be influenced in conduct and mode of life. In the use of substances of this kind everyone must be left at liberty to do as he pleases, *but the knowledge that injury may follow should be made common property.*"

ADULTERATED LIQUORS.

Third. Careful examination of the last year's report of the State Board of Health fails to reveal even *one case* of prosecution for the sale of adulterated liquors; that is, Intoxicating Liquors. If the Board of Health is the proper body to take cognizance of such matters, surely it has not done its full duty to the people of the State, and it is hereby recommended that steps be taken at once to make a thorough and systematic investigation, through the proper authorities, of the sale or sales of adulterated liquors, which, in many of the larger cities it is declared, is becoming a menace of tremendous proportions and a most prolific source of Dependency and Crime.

COURT OF APPEAL FOR EXCISE—FEDERAL TAX RECEIPT HOLDERS.

Fourth. The immunity with which those who are engaged in the sale of liquor can violate the law and escape just punishment has grown to such proportions that in many places it has caused justice to become a by-word and a jeer whenever the liquor seller is concerned. Such a condition inevitably breeds disregard for all law as such, and is a prolific source of crime. It is earnestly recommended that a more sincere attitude upon the part of those in authority toward those found violating the Excise, as well as other laws of this State, be maintained.

The writer would favor, therefore, the establishing of a State Board of Excise with full constabulary powers and the right to revoke a license, whenever found necessary, should the local authorities, after proper evidence has been submitted to them, refuse to act. That is, there should be some other final court of appeal in excise matters than there has been, for protests and

pleadings have alike been in vain to secure the enforcement of the law. Such a State Board or Court of Appeal should have oversight also of the holders of Federal Tax Receipts for the Sale of Liquor. If it is not thought best by the Legislature at this time to create such a board or commission, then I would earnestly recommend that such steps be taken as shall make it incumbent upon either the Prosecutor of the Pleas or the Sheriff of each county to secure, upon taking office, a complete list of these holders of Federal Tax Receipts for the sale of intoxicants, revising same each month, and make such investigation as to those who are holding such receipts illegally as shall enable them to prosecute if violations are found. It must not be forgotten that the Federal Government does *not* issue these "permits, tax receipts or licenses" without the applicant first, under oath, testifies that he is going to sell at retail or wholesale, as the case may be. The following figures are of interest in this matter.

According to the most reliable data there were, in this State, last year 7,861 licenses.

According to the last annual report of the Internal Revenue Department at Washington, there were issued in this State by that Department the following Tax Receipts during the year ending June 30th, 1907, and that ending in 1908:

	1907.	*1908.*
Retail Liquor Dealers,	10,588	10,674
Wholesale Liquor Dealers,	175	178
Retail Dealers in Malt Liquors,	299	293
Wholesale Dealers in Malt Liquors,	581	584
Totals,	11,643	11,729

Licenses as above,	7,861	
Druggists,	1,000	
		8,861
Balance holders of Federal Tax,		2,868

Where are they?

The estimate of one thousand druggists is made from the figures given by one of the most prominent druggists of the State. If these figures are only approximately true, then,

together with our near eight thousand licensed places, we have in the neighborhood of *twenty-five hundred* speak-easies in this State which are presumably doing business.

It should be the business of *someone* to keep a correct record of the Federal Tax Receipt holders, either in each county or some State official at Trenton.

CIVIL DAMAGE LAW.

Fifth. The sale to minors should be made more hazardous than it is, while the sale to habitual drunkards should be made more risky by the passage of a Civil Damage Law, whereby the relative or other next of kin can hold the liquor seller responsible in a civil suit for any damage done by the person to whom he has sold the intoxicant whereby he was made drunk after he has been warned *not to sell to them.* As it is now the law upon this subject is totally inadequate. The law is specific prohibiting the sale to drunkards, but the penalty is not what it should be. Several States have such a law, and it would act as a good deterrent if such a one was passed in this State. It would lift the matter of punishment for such sales out of the hands of Grand and Petit Juries, where, it has been shown by evidence before this Commission and the Excise Commission, the complainant has little or no chance of securing a verdict. It would lift the case immediately out of the Criminal into the Civil Court, where the question of actual damage done and payment therefor would be the only question involved.

Dr. Evans, of the State Hospital at Morris Plains, when asked at Trenton his opinion of the value of such a Law, endorsed it (see pages 1458–60 of stenographic minutes).

SEPARATE EXCISE ELECTIONS.

Sixth. The views of the writer as to the final solution of the Liquor problem are too well known to your Excellency and the Legislature to need extended reference at this time. I feel, however, that it will not be out of place to recommend that any election held for the purpose of choosing commissioners or

boards in the several municipalities with power to grant or refuse to grant licenses should *not* be held nearer than *ninety* or *sixty* days to any other elections, and it should not be permissible to vote on the election of such officers at the same time any other public question is to be voted upon.

Such a provision would leave this whole matter of licensing the Liquor business to be disposed of on its merits, unmixed with other questions of municipal affairs.

EDUCATE THE FOREIGN BORN.

Seventh. It is most conclusively proved that a very large proportion of our Dependency and Crime comes from our foreign-born population. The question then is, What can we do? It is not sufficient to say that economic conditions or lack of home comforts drive these people to the public drinking places. The questions are too closely interwoven for that. Money spent for drink *cannot* be given to a wife for home comforts, and likewise money and time *misspent* by an improvident wife *cannot* be spent to make the home comfortable or for drink. The need of the hour for this large section of our population is *Education.* This the various municipalities must, to a large degree, attend to. The city of Newark is to be commended for the publication, in the vernacular of the people, of the laws governing the carrying of firearms and weapons. If all the cities would do that, there would be less excuse for ignorance. The establishment of night schools for the teaching of Civil Ideals and the inculcation of Good Citizenship would also be a great help, and such schools are urgently recommended to be undertaken more extensively than they have been. Attention is drawn to the success of such a venture in several cities, and the report of the Newark Board of Education on this subject is commended to the consideration of other municipalities.

EXCLUDE MINORS.

Eighth. The failure of the Bill passed last year excluding minors from various shows, etc., to meet the test of a trial in

court is to be regretted, and it is most urgently recommended that some further provision be made by the Legislature to meet the situation. The matter of amusements where liquor is sold and minors are permitted to attend and congregate, the public parks where there are dancing pavilions and also liquor sold, do not, as a general thing, provide healthy amusement which is free from great temptation and opportunity to wrongdoing. It would be wise to seriously consider the advisability of prohibiting the sale of liquor in such places. Only too often these parks, etc., are run on Sunday practically as on other days, to the detriment of good morals and the best interest of those who attend. The manner in which some such places as are described in this section are run, with everything wide open, calls for the severest condemnation. This is especially true in some instances, as they have been the subject of investigation again and again; public attention has been drawn to them, and, for a time, they have shut down, only to re-open with, seemingly, a determination to show that they can control the situation. Reference is respectfully called to pages 895 to 932, etc., of the minutes, where conditions of Schuetzen Park, Guttenburg Race Track and Little Coney Island, etc., are reported as confirming the above statement. Some of the parks adjacent to Paterson, Camden and other cities are of the class referred to, and should be condemned just as severely.

NO SUNDAY SELLING.

Ninth. It is a matter of deep regret to the writer that the Commissioners present last Thursday afternoon decided to recommend the passage of a bill making the sale of intoxicants, and the public indulgence in pastimes, legal on the first day of the week, commonly called Sunday.

I strenuously dissented from that motion and asked to be so recorded. The importance of this question, the sale of intoxicants on Sunday, is such a vital one to many, that I have made a special study of that phase of the subject of Dependency and Crime, not intending at this date to submit it for your consideration. In view of the action taken, as above mentioned, I trust it will not be

deemed out of place here, nor, owing to the importance of this subject to many of the citizens of the State, an unimportant lengthening of this report. I have appended it under the title "Supplmentary Statement," the case against Sunday selling.

I might say, that, summarized briefly, my objections are:

A. The avowed declaration of the majority report to the effect that violations of the law breed Dependency and Criminality and their urgent appeal for the enforcement of the law is good logic, completely upsetting the fallacy that because men violate with impunity the present Excise restrictions as to Sunday selling therefore we should repeal them, contained in their later proposition to legalize Sunday selling. Further, it would be tantamount to putting a premium on past violations, and more like saying, Violate the law, do all you can to make it objectionable, then you may get it repealed.

B. The reason for prohibiting the sale of intoxicants on the first day of the week has a better foundation in morals and civics than the reasons for permitting its sale.

C. The statement that all that is wanted is permission to serve drinks with meals to *bona fide guests at hotels,* has no more claim for consideration by us than that the poor man, who is not able to afford the luxury of a table d' hote and whose wife has to fill his house with the steam from the cooking, shall have the saloon opened for him. This would most assuredly be class legislation, besides which the *record* of the manner in which the liquor business has been conducted in this State and others, for that matter, during the past years furnishes us with no *certificate of character* that will enable us to believe that it would obey such a restriction as is suggested, any more than the same kind of provisions are respected elsewhere, notably the Raines Law in New York State.

D. The suggestion that the *people* be allowed to vote as to *how, where* and *when* on this proposition is not good morals. The restrictions on Sunday sales are founded in the restrictions of the *Decalogue,* and it is repugnant to

the majority of the citizens of New Jersey to submit any one of the Ten Commandments to a popular vote.

E. All history has proven the value of one day's rest and cessation from toil, and to turn loose upon the working classes of this State the liquor traffic on that one day would be an unwarranted injustice to them.

F. The economic problem involved is a great one, and the relationship which such departure would sustain to our present burden in the care of Dependents and Criminals is worthy of careful consideration. Returns from a recent investigation made on the Continent of Europe, where they have the open drinking places on Sunday, has proven very conclusively that the open drinking place on the one day of the week when the working man has leisure produces more crime than any other day, and the major portion of all arrests are made on the Saturday, Sunday and the Monday, Sunday in every instance taking the lead.

A further discussion of this problem will be found under the head of "Supplementary Statement."

REVISE COMMITMENT LAWS.

Tenth. The statement of Dr. Britton D. Evans, of the Hospital at Morris Plains, as to the confusion constantly arising through the lack of clear and definite regulations regarding the commitment, etc. of insane persons, which will be found on pages 1441–3 of the stenographic minutes, and his recommendation for the repeal of

"all the laws, from the poor laws of 1846 up to the present time that have anything to do with the commitment, detention, treatment and legal discharge of persons who are alleged to be insane, and the passage of one comprehensive law which will embrace all the essential features necessary to cover the requirements of such commitment, detention and legal discharge,"

is commended for consideration at your hands.

COMPILE CRIMINAL STATISTICS.

Eleventh. It would be a very valuable addition to our State archives and enable the State to note its continued progress if there should be uniformity in the making of all police reports, and if copies each month or quarter were filed at Trenton, there to be compiled and issued in a public document at the end of the year. Several States are doing this, and good results are produced.

LIVING CONDITIONS.

Twelfth. Your special attention is called to reports on our file as to living conditions in many sections of this State. It needs hardly be said that with ten to even twenty-one persons living in *one room,* there is scarcely opportunity for healthful and moral conditions to survive.

COURT INTERPRETERS.

Thirteenth. The data gathered by our Secretary, Mr. Ransom, on this subject, if only approximately correct, reveals a condition which should be most carefully considered, as the treatment which the immigrant, who cannot speak our language nor understand our ideals, receives in a court of law, either helps or hinders him to a great extent in becoming a useful and law-abiding citizen. The prisoner and the court are alike at the mercy of the interpreter, and no expense should be considered too great to have these of the very highest type of citizens and efficiency. It is respectfully suggested that Mr. Ransom be invited to lay this matter before your Excellency for further consideration.

THE SOCIAL EVIL.

Fourteenth. That the Social Evil is a source of concern to this State, or should be, and must sooner or later be faced, is now recognized by all who have looked into the matter. The records will show that there are several cities in New Jersey where this

evil is not merely tolerated, but where there is every evidence that protection is paid for. In some cases there are houses which have been in existence for years, and known to the authorities, as in the case specified on page 209 of the stenographic minutes, where the daughter is now running the place formerly run, *in the same city,* by her *mother.* The Chief of Police testified that he had known the place for over twenty years. There are places also where a section of the city is given over to houses of ill fame. It is not my intention here to discuss the question of segregation, though I might say that the city of Cincinnati tried it some years ago, and it increased the evil, but to draw attention to the fact that the law on this matter is violated, and such violation has no more right to be tolerated than any other infraction of the State law.

It is not sufficient to state that it is better to have such places run right *under control,* as there is abundant evidence to prove that they are not *"run right,"* whatever *"run right"* might be. The course of moral obliquity is downward and not upward, and a toleration of this evil leads to indulgence which calls for more, and in a number of instances leads to crimes against nature and is a real menace to the State in the spreading of obnoxious disease. The statement of Dr. Rosenwasser regarding Congenital Blindness is worthy of consideration in connection with this statement.

Another phase of the evil is that the ranks of those who die off *must be filled,* and the testimony of a prominent District Attorney of Illinois recently, that there is a syndicate for the securing of white slaves which sends its representatives over the land to entrap and ensnare the young, should be heeded by our citizens. The recent case in Atlantic City, so widely discussed in their city and other newspapers, where a girl had been stolen and sold for forty dollars, and kept for nine months in a certain resort in that city, finally stealing enough clothes to escape, draws attention to the fact that the evil is with us. While the further part of the story, that the Madam in the case had the impudence to have the girl arrested for *"larceny of clothing,"* adds force to the above statement that *somewhere* these people are paying tribute. I might add here that, owing to the activity

of Chief of Police Woodruff, of that city, who went before the Grand Jury and testified, the girl was released, the woman indicted, and at her trial found guilty of keeping a disorderly house. The story of this girl's case will be sent you in full under separate cover, as there are facts concerning it and other matters of the same kind that I do not think it necessary to refer to in this public document, but which, after they reach you, may be dealt with as your Excellency sees fit.

I do not feel it is out of place here to refer to the fact that in addition to the place where the girl above referred to was kept there are several blocks of such places running without interference from the authorities. Last year the municipal government made a donation to their local Florence Crittenden Home for fallen women. To do this and leave several dozen houses wide open to create and ruin them is a piece of hypocricy it would be hard to find anywhere else.

Suggestions.

Many of the causes of Dependency and Crime are of such a nature that suggestions for their elimination might properly be made to the various local authorities. It is felt that the spirit of the work of the Commission is not to evade such questions, but to meet them, and through you, sir, and the Legislature, make these recommendations to the various municipalities of the State. Under this head I would submit the following:

Evidence has been brought before this Commission of numerous cases where large industrial establishments pay their employees on Saturday, *after the banks have closed,* by check, where these employees turn, in large numbers, to the saloons near their place of work to get them cashed. Each payday the brewers put up thousands of dollars to cash these checks, and, as can readily be understood, the workman purchases oftentimes drink which he otherwise might not.

The wisdom of recommending a bill to compel the payment of at least twenty-five per cent. of their employee's salary in cash was discussed by the Commission, but such a plan, it was feared, might not prove constitutional.

It seems to your Commissioner that, in the interest of their workmen, these concerns should meet the situation *without* legislation, either by so dividing the payments as suggested above or by arranging with some bank contiguous to the industrial centers to remain open hours sufficient on Saturday to enable those who so desire to cash their checks other than in a saloon. The workmen would then at least have a preference.

Another question of what might be termed public policy along these same lines, for the consideration of the various municipalities of our State, is the establishment of public comfort stations. It ought not to be necessary for pedestrians to accept the hospitality of the saloons for such conveniences. In too many cases

the man feels unwilling to enter and leave without either purchasing a drink or a cigar. While this is not mentioned as a "large contributory factor" it is felt that the different authorities should seriously consider this proposal.

A strict censorhip should be had by the various municipalities of the State over the moving picture and other cheap shows. The nicolettes which depict crime, and laud the criminal as much as possible, are a direct menace to the welfare of the young, and such pictures should be prohibited. The posters exhibited on the various bill-boards are in many instances immoral, and should be supervised.

When this whole problem is considered, even though it be only in a preliminary report, one should face the question of the relation of the Home and Church to this problem.

Beyond a doubt the home life of many, especially the young, either in the matter of bad example or laxity of grip upon the children, leads them into paths beset with dangers, and it is not to be wondered that many fall by the wayside.

The attention of the parents of our State is called to the questions involved in the work of this Commission, and a fuller appreciation of the needs and the temperament of the young is urged.

The various authorities of the State charged with the duty of discovering temptations should have in mind the fact that it is not their province to look at matters from their own viewpoint alone, but should earnestly seek to face the question as to what the effect will be upon the young and undeveloped mind. Several times, either in letters to this Commission (see page 1937, etc., of Record), or as in the case of a certain detective who was on the stand, and whose testimony will be found on page 241 of the Stenographic Record, the answer was either "I did not see anything wrong in that," or "I do not think that *is* a violation of the law."

The Church must become more and more a power in Civics, ever helping to sustain the right and overthrow the wrong. It is these two factors, the Home and the Church, which together with proper, scientific and humane methods in the care of them, will, with a right understanding of our real problems, lead us sooner to the solution of the care of our Dependent and Criminal classes than we might otherwise think possible.

The attention of the friends of Temperance throughout the State is called to the need of an Educational Campaign *on the Effects of Intoxicants on the Human System.* This is not a matter which either the State or municipality as such could enter into any further, possibly, than has been suggested before, but if some attention was given to the compiling and getting together of an *exhibit* of charts, etc., etc., and the work prosecuted along the same lines as those pursued by the physicians in their exhibitions against tuberculosis, it is felt that great good would be accomplished.

Your Commissioner desires to be distinctly understood in this matter as not recommending a campaign for the propagation of methods dealing with the regulation or elimination of the business; that propaganda will always take care of itself. He does earnestly call to the attention of the people of the State, however, the value of a great exhibit on such a theme in harmony with the suggestion of the Congress on Tuberculosis mentioned in this report. There is a great need of instruction in the *Fundamentals* of the *Temperance Reform,* as without a real foundation in sound principles no reform can ever hope to be permanent.

It may be claimed that laws above the people are not enforceable, to which the answer must be made, the law is, itself, an educator. To place a law, based on sound principles, upon the statute books, is to immediately draw the people's attention to the question involved, and education growing out of the discussion thereby is the resultant effect of the law.

Supplementary Statement.

THE CASE AGAINST SUNDAY SELLING.

Regarding the proposition endorsed by the majority of this Commission to legalize the sale of intoxicants on Sunday, I would respectfully offer this Supplementary Statement to the foregoing report.

This proposition *must* be met and adequate reasons given for the non-enactment of such a measure.

Possibly I might be expected to deal with this phase of the problem from a religious standpoint, but I forbear. There are others who will do that. I am confident, however, that it is repugnant to the religious sentiment of this State to submit any one of the Ten Commandments to a popular vote. But there are a large number of our citizens on whom a religious appeal for its own sake, on this subject, makes little or no impression. On June the ninth last there was held in the city of Newark a parade and meetings in the interest of an open Sunday proposition. On the day preceding this parade the city had been covered with thousands of dodgers, on which had been printed, in large, bold type, the following:

ATTENTION!
ALL LIBERAL CITIZENS.

VOTE FOR AN OPEN SUNDAY.

WHAT'S THE USE OF
PRESERVING THE LORD'S DAY?

WHAT DID GOD EVER DO
FOR THE
BREWERS AND SALOON-KEEPERS?

Accepting this and quoting it merely as indicative of the temper of that class of people, we shall pass it over without comment, further than to say that, coupled with other well-known facts, it proves that the call for an open Sunday comes from:

A. The large up-State cities, where there is a tremendous foreign population which has been used to a Continental Sunday, with its church in the morning and in the afternoon amusements and open beer-gardens.

B. A few seashore resorts, which in the summer time entertain a large number of holiday-makers who seek only pleasure, and who believe that visitors should be catered to.

Our basis for appeal to this class must to a large extent be the question of expediency.

The burden of this statement is to prove that the State of New Jersey *cannot afford* to legalize the sale of intoxicants on Sunday in any way, shape or form, basing the assertion on findings elsewhere. It is beside the question altogether to claim that therefore we must stop the sale of milk, the passage of trains and trolleys, the delivery of papers, the sale of ice cream, cigars, etc., etc. The position of the writer personally is, that these things being against the law *should* be prohibited and the law enforced, *but the reason is not the same as the reason for the prohibition of the sale of intoxicants on Sunday.* No sane person believes that the *results* of the sale of the above are anyway near or even related to the results which naturally follow the sale and consumption of intoxicants. They *are in a class by themselves,* may be dealt with accordingly through the police powers, and the highest courts of the land have sustained this proposition.

Neither will this statement deal with the undoubted fact that the only ones who are really clamoring for the sale to be legalized are, to a great extent, those who would naturally profit by such sales. It will simply ask and seek to answer the question,

> Has the selling of intoxicants ever been tried on Sunday in so call approved manner, and if so where and with what results?

It need hardly be stated here that those who clamor for an open Sunday point to the countries of Europe, where the Saloon, Beer Garden or Public Drinking Place is open, as the ideal for such a

practice here, so we will go to those countries and find out how it works there, believing that, if we can show that it does not work work well there, we have made our case against the institution of Sunday selling here.

Germany and Switzerland are noted for the thoroughness of their researches into whatever they begin to dig, and we need not hesitate, therefore, to accept their findings. And into the subject, the effect of Sunday selling on Dependency and Crime, they have gone, and it is my purpose to quote only such figures and data as are given by them.

A very remarkable investigation has been made into this whole subject by a corps of the leading doctors and philosophers, with the aid of some criminologists. Their findings were published last year under the title of *"Zur Alcohol Frage"* (The Alcohol Question). E. Stump, teacher in the Hofwill Seminary, in Zollikofen, and Robert Willenegger, of Zurich, led the way. They had the co-operation and assistance of a number of eminent scientists. Their findings have not, to my knowledge, been published in English as yet, but they have them under seven heads, copiously illustrated by the most beautiful charts, graphically showing the results of their work. The publisher is Rob. Wellenegger, of Zurich.

This book is divided into seven *Groups* and each group has several *Tables,* showing the relationship of Alcohol to Crime, Ability to Execute Brain and Muscular Work, Disease, the Death Rate, Degeneration, Insanity and Tuberculosis and Political Economy, with an analysis of its food value. Surely, a most comprehensive study, and one we must not overlook.

I shall, of course, in this article, confine myself altogether to their finding in regard to the relationship of the sale on *Sunday* to the general public, and on this I find.

For instance, Dr. Koblinsky studying the inmates of the jail at Dusseldorf, found the following from 380 cases:

FROM TABLE A 5.

Day Crime Committeed.	*Without influence of Alcohol—Non-Drinkers.*		*With Alcohol, Drinkers.*	
Sunday,	33	8.67%	132	34.72%
Monday,	17	4.48%	51	13.42%
Tuesday,	15	3.95%	13	3.42%
Wednesday,	8	2.11%	12	3.16%
Thursday,	15	3.96%	5	1.32%
Friday,	11	2.90%	6	1.58%
Saturday,	29	7.63%	33	8.68%
Total,			380 = 100%	

Thus we note that

Sunday has,	132	34.72% crimes due to alcohol
Monday,	51	13.42
Saturday,	33	8.68

But when those *not* due to alcohol are added we find the gross total to be:

Sunday,	165	43.39%
Monday,	68	17.90
Saturday,	62	16.31
Total,	295	77.60

Arrested either on Saturday, Sunday or Monday, leaving only 85, or 22.40 per cent. to be divided between the other four days of the week.

FROM TABLE A 6.

Alcohol and Crimes of Personal Violence in Zurich.

Sunday,	60	42.55%
Monday,	22	15.60%
Tuesday,	13	9.22%
Wednesday,	11	7.80%
Thursday,	10	7.09%
Friday,	7	4.97%
Saturday,	18	12.77%
Total,	141	100.00%

Here again somewhat the same ratio holds good for

Sunday,	60	42.55%
Monday,	22	15.60%
Saturday,	18	12.77%
Total,	100	70.92%

Arrested either on Saturday, Sunday or Monday, leaving only 41 or 29.08 per cent. for the four other days.

Alcohol and Crimes of Personal Violence in Worms.

Sunday,	254	35.13%
Monday,	125	17.29%
Tuesday,	69	9.55%
Wednesday,	62	8.57%
Thursday,	62	8.57%
Friday,	48	6.64%
Saturday,	103	14.25%
Total,	723	100.00%

Even in Worms the change is not great for

Sunday,	254	35.13%
Monday,	125	17.29%
Saturday,	103	14.25%
Total,	482	66.67%

Showing again that out of 723 such crimes in that city, Saturday, Sunday and Monday lead the list and leave only 241, or 33.33 per cent to be credited to the other four days.

Dr. E. Kurz has made a tabulation of 1,115 crimes where alcohol had a part in the city of Heidelburg over a period of four years, with the following results as to days on which they were committed:

Day Committed.	*Number.*	*Per cent. of whole.*
Sunday,	502	45
Monday,	182	16.3
Tuesday,	95	8.05
Wednesday,	67	6
Thursday,	62	5.6
Friday,	82	7.3
Saturday,	94	8.4
Unknown,	31	2.9
Total,	1,115	100

In this city, holding good during *four years of investigation*, we find:

Sunday,	502	45%
Monday,	182	16.3
Saturday,	94	8.4

Thus crediting Saturday, Sunday and Monday with 778, or 69 per cent., and leaving only 337, or 30.93 for the rest of the week.

It is interesting, however, to note in what places these Heidelburg crimes were committed, and this is also shown as follows:

In the Inn or Tavern,	742	66.5%
In the Home,	86	7.7%
On the street,	98	8.8%
In the place of work,	87	7.8%
Unknown,	102	9.2%
Total,	1,115	100%

Besides the amount of crime committed on the day of the week when, without work, the laborer can spend more time in the public drinking place, there is another factor which enters largely into our consideration of this whole problem, and that is the number of accidents the day *after the Sunday or holiday*. Dr. Rosenfeld has investigated this matter with the result that he states that in one mining district in Austria, where the public drinking places are open on Sunday, he found that the time lost by miners through accidents was:

	1899.	*1900.*	*1901.*	*1902.*	*1903.*
On normal working days,	3.4%	3.8%	3.1%	2.2%	2.0%
On days after Sundays and holidays,	5.9%	6%	5.7%	4%	3.6%

A five-year record, consecutive, is a good criterion.

An investigation of the *days of the week* when *most accidents* occur had been reported by Dr. C. Frankel, of Halle, in "Der Alkoholismus," 1903, as being *Tuesday*, for on Monday they are still somewhat under the influence of their Sunday debauch, and

are not (in as great numbers) at work. Loss from both possible wage earnings as well as accidents.

Dr. A. Baer, in his most valuable work on Drunkenness, says: "Pastor Scroter reports statistics from the prisons of North Germany showing that 32 per cent. of the crimes are committed on *Sunday*, while 58 per cent. are committed on Saturday evening, Sunday and Monday. Leaving only 42 per cent. for the other days. Of the crimes committed on Monday, 53 per cent. were by men who were celebrating their *'Blue Monday.'*" Dr. Hoppe, of Alenberg, does not hesitate to state that the opening of the drinking places throughout Germany on Sunday, while other places of business are kept closed, is responsible in a large measure for the filling of the prisons and workhouses.

Statistics are at hand also as to *accidents* in the kingdom of *Saxony*, as follows, figures for four years:

Sundays,	787
Mondays,	2,057
Tuesdays,	2,009
Wednesdays,	2,022
Thursdays,	1,811
Fridays,	1,967
Saturdays,	1,962

The rise on Friday and Saturday again is accounted for by some as being due to fatigue toward the end of the week, but others by the fact that wages, pretty generally, are paid on Friday.

But we do not need to turn alone to the Continent. Ireland and Scotland, where they have partial Sunday closing, also furnish several good illustrations. For instance, in Edinburg the arrests for drunkenness in 1852-3, *with no Sunday Closing Law*, were 1,357, or 71.1 per cent. of the whole. Hours for counting, eight A. M. Sunday to eight A. M. Monday. In 1854–1855, however, the following two years, with Sunday closing, the arrests in the same city fell to 328, or 17.2 per cent. of the total, while in 1895-6, notwithstanding the increase in population over that of 1862, they had again fallen to 223, or 11.7 per cent. of the whole arrests. A drop in 43 years from 1,357, or 71.1 per cent.,

under Sunday opening, to 223, or 11.7 per cent., with Sunday closing.

Ireland shows the same results. Before the Sunday closing law was passed in 1877-8 the arrests for drunkenness were 4,555, or 64.5 per cent. of the total. While in the year 1885-6 they had fallen to 2,506, or 35.5 per cent. of the whole, notwithstanding the closing was not as effectual as might have been hoped. Wales also shows the same results. Returns are before me, however, from Ireland for the present year, and I append them. It must be remembered that entire closure of the bars on Sunday is unknown, but the difference where only a partial reform *is enforced* is noticeable. In 1906 they passed a bill closing the public houses *earlier* on Saturday evening and shortening the hours of sale on Sunday with the following results:

Cases of arrest for drunkenness:

	Before earlier closing.	*After passage of bill.*
City.	*1906.*	*1907.*
Dublin,	1,274	1,140
Belfast,	1,200	894
Cork,	508	445
Limerick,	215	278
Waterford,	162	132
Totals,	3,357	2,889
Less,	2,889	
Reduction,	468 or about 14%.	

This reduction, it must be remembered, by only *reducing the hours*, and not entire closing.

Father Hayes, a prominent Roman Catholic priest, is on record as stating that the workingmen of Manchester, England, alone, lose on an average eight thousand pounds a year—about forty thousand dollars—through missing work Monday morning by reason of Sunday drinking.

Not so long ago Miners' Union, No. 9, with headquarters near Wilkes-Barre, Pa., petitioned the colliery operators to discharge the habitual heavy drinkers, as—

> "By their excessive drinking they either are incapacitated for work on Monday morning, thus depleting the shift and keeping sober men from going to work; or they endanger the lives of their fellows by gross carelessness."

Testimony is at hand showing the extra effort which the workmen have to put forth to produce the usual results from their labor after a Sunday spent in the *"Poor Man's Club"* or on a holiday spree.

SUMMARY.

And here I rest the case. I have not divided my energy, but have tried to show that the opening of public drinking-places, whether we run them as saloons, hotels, or as they do on the Continent of Europe, as a place where a *"poor man can go and take his family,"* their effect is the same.

Summed up briefly we come to the following conclusions: That, leaving out altogether the religious phase of the subject, our State cannot afford as a mere economic proposition to legalize the sale of liquor on Sunday, for:

A. By its nature and its effect upon the consumer and the community it should be prohibited.

B. That crime is engendered and fostered whenever the workingman has leisure, money and an open place to congregate with his fellows for social drinking.

C. That most crimes are committed on the days of the week when conditions mentioned in B. are permitted.

D. That most accidents and consequent loss of time to the laboring man occur on those days *immediately succeeding* the days when conditions mentioned in B. are permitted.

E. That it is the province of the State to care for and exercise its *best* judgment in the passage of the laws where the great mass of people are concerned, as they surely are in laws affecting the regulation or extinction of the Liquor Traffic.

Respectfully submitted,

ERNEST A. BOOM,
Dependency and Crime Commissioner.

Merchantville, N. J.
December 15th, 1908.

Appendix A.

The items contained in this report as listed in Table *Two* are, in the judgment of some, not sufficient and should include:

A. For care of disabled soldiers and sailors and their wives, at Kearney and Vineland,.....	$402,627 57
B. School for Colored Youth at Bordentown, ...	105,446 21
C. Industrial education, ...	388,662 01
D. School for the Deaf, ...	272,310 00

The above four items are for the years 1902 to 1907 (six years), inclusive, same as other figures in Table Two.

E. The Tenement House Commission and Board of Supervision, *four* years, 1904 to 1907,....	$89,370 97

In the same period this Board has collected fines for 1905, $30.50; 1906, 44 cents; 1907, $2,315.55.

These items were *not included* because there might be some question raised as to whether they come under the head of *Dependency*. They are here given for information only, leaving it to others where they be placed, but they add the snug sum of $1,258,416.76 to the State expenditures for the six years enumerated.

Appendix B.

Seeing this report deals, in a large measure, with the relationship of certain expenditures involving large sums of money due to the sale and consumption of intoxicating liquors, it is only fair to state that the Liquor business contributed to the various municipal and county treasuries the sum of $2,709,410.14. The table on next page shows the relationship of such receipts to the expenditures for Dependency and Crime by the various municipal and county authorities throughout the State.

It must be remembered that the License fees are *only paid* to the municipal or county treasuries *and not to the State,* so that *no accounting is made* in this table of the $1,532,492.05 which the State treasury was called upon to pay net for the care of its Dependents and Criminals during the same period.

Naturally it is not claimed that *all Dependency and Crime* is caused by intoxicants, and the table is only introduced for the sake of comparison. It will be noted, however, that the amount falls considerably less than half, especially when the State's expenses are added.

TABLE FIFTEEN.

Showing Relation of Total License Receipts to Expenditures for Dependency and Crime by the Various Municipal and County Authorities as per Tables Six and Seven.

	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	
	County.	*Population.*	*Total licenses.*	*Licenses per capita.*	*Total cost net D. and C. in county.*	*Total receipts from all liquor licenses.*	*Receipts above expenditures.*	*Excess cost D. and C. over license receipts.*	*Per capita cost D. and C.*	*License receipts per capita.*	*Excess cost per capita of D. and C. expenses.*	
1.	Atlantic, ...	64,269	280	230	$182,293 75	$119,475 00		$62,818 75	$2 80	$1 85	$0 95	1
2.	Bergen, ...	100,631	296	340	18,057 68	48,700 00	$30,632 32*	See note	18	48	....	2
3.	Burlington, ...	62,494	111	563	61,437 01	23,300 00	.....	37,647 01	94	38	46	3
4.	Camden, ...	129,804	373	348	220,973 15	145,138 00	.....	75,835 15	1 70	1 15	55	4
5.	Cape May, ...	17,390	51	1,000	17,221 58	15,600 00	.....	1,621 58	1 00	90	10	5
6.	Cumberland, ...	54,508	5	10,860	50,022 20	950 00	.....	49,072 20	94	02	92	6
7.	Essex, ...	434,428	851	1,803	1,740,850 19	695,576 81	.....	1,054,273 38	3 86	1 54	2 32	7
8.	Gloucester, ...	34,477	30	1,149	34,270 92	5,525 00	.....	28,745 92	99	16	83	8
9.	Hudson, ...	429,450	208	1,000	1,827,047 26	868,700 83	.....	959,156 43	4 25	2 02	2 23	9
10.	Hunterdon, ...	34,210	46	244	44,156 40	8,650 00	.....	35,506 40	1 20	25	1 04	10
11.	Mercer, ...	119,336	352	339	205,805 16	124,350 00	.....	141,455 16	2 22	1 04	1 18	11
12.	Middlesex, ...	109,496	435	252	111,915 14	149,597 30	37,682 30*	See note	1 02	1 36	....	12
13.	Monmouth, ...	92,019	227	405	196,577 72	51,225 00	.....	145,352 72	2 13	56	1 57	13
14.	Morris, ...	68,035	144	479	87,746 36	29,075 00	.....	58,671 36	1 27	39	88	14
15.	Ocean, ...	21,115	56	377	24,384 81	6,800 00	.....	17,584 81	1 15	32	83	15
16.	Passaic, ...	185,216	759	444	340,434 66	232,312 00	.....	108,122 66	1 83	1 25	58	16
17.	Salem, ...	26,287	16	1,643	17,608 29	4,720 00	.....	12,948 29	67	18	49	17
18.	Somerset, ...	30,114	74	488	85,072 26	21,350 00	.....	63,722 26	2 35	58	1 77	18
19.	Sussex, ...	23,325	65	359	22,739 27	9,520 00	.....	13,219 27	97	38	59	19
20.	Union, ...	134,477	362	366	286,391 63	125,520 00	.....	160,871 63	2 16	94	1 22	20
21.	Warren, ...	40,403	80	505	35,530 71	21,400 00	.....	14,130 84	89	53	34	21
	Totals, ...	2,234,359	7,861	284	$5,700,218 31	$2,709,410 14	$68,314 68	$3,059,122 85	$2 56	$1 23	$1 33	

* *Note.*—It *must be remembered* that *all* the figures quoted here are from the report of the State Comptroller, except those regarding the amount received from Liquor Licenses, which are from the report of the State Excise Commissioner. The various municipalities *do not report* alike, so that some do not specify *what* the expenditures are for, and thus are not figures for "Police" or "Poor" at Perth Amboy, which items "Police" and "Poor" are so listed. The Comptroller's Report does not give any figures for courts. Jersey City, Hudson county, reports no Poor Fund expenditures. It is not at all likely, therefore, that when these and other items are added, there would be much profit to show even in that county. Bergen made over $20,000 on the county items, but her various municipalities spent $47,000.00 for "Police" and "Poor." The amount made on the County D. and C. expenses is what reduces the *net* cost in Bergen.

MSH 20276

END OF
TITLE